THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA, Plaintiff, vs. BRIAN BUSKE, Defendant.	)))))))))	CRIMINAL NO. 17-30003-DRH

STIPULATION OF FACTS

Comes now Donald S. Boyce, United States Attorney for the Southern District of Illinois through Norman R. Smith, Assistant U.S. Attorney for this District and herewith enter into the following Stipulation of Facts with the defendant, Brian Buske, represented by his attorney Justin Kuehn, pertaining to the relevant conduct of the defendant within the scope of U.S.S.G. §1B1.3.

1. Brian Buske was employed by the Pontoon Beach Water District from 2007 through June of 2016. In approximately May of 2014, Buske was promoted to the position of supervisor. As supervisor, Buske managed the daily operations of the company. Buske also handled the daily financial transactions of the company in that he issued checks to pay other companies for equipment or services rendered. He also issued the payroll checks to employees of the company and the trustees on the board. In addition to possessing control over the check writing process, Buske also possessed a Bank of America company credit card that was only to be used for legitimate Pontoon Beach Water District expenses. Buske paid the balance of the credit cards monthly using water district funds.

2. Pontoon Beach Water District customers would make payments electronically via automatic bill pay or by credit card, check or cash. Direct payments were supposed to be logged

into the company's electronic records system. Cash and check payments were to be stored in a safe until the bank deposits could be made.

3. In early 2016, Buske was the only water district employee that made the bank deposits. Bank deposits were typically made every three days. In May of 2016 the Chairperson of the Pontoon Water District Board noticed that the District was a month behind in making the bank deposits. The missing deposits were not located within the safe.

4. On May 27, 2016, Buske was confronted about the missing funds. Buske then retrieved four deposit summaries with the corresponding checks and cash from his truck. Four additional deposits were found to be missing. Buske admitted to taking the money and later returned with $5323 in cash, the amount of money corresponding to the records of the missing deposits.

5. Further investigation revealed that records of the Pontoon Beach Water District had been falsified to cover up personal expenses that Buske made on the District's credit card. Check stubs were supposed to record the payment of legitimate District expenses, however some of the stubs falsified who the payee was to conceal personal expenses made by Buske that included the payment of an electric bill, insurance, cell phone bills and other personal expenses.

6. From in or about May of 2014 and continuing through May of 2016, in Madison County, Illinois, within the Southern District of Illinois, and elsewhere, Brian Buske did cause the foreseeable use of interstate wire communications in furtherance of a scheme to defraud and to obtain money and property by means of fraudulent representations.

7. In February of 2016, in Madison County, Illinois, within the Southern District of Illinois, Brian Buske did cause the foreseeable use of interstate wire communications in furtherance of a scheme to defraud and to obtain money and property by means of fraudulent

representations by fraudulently using a Pontoon Beach Water District credit card to pay a personal cell phone bill, then creating a fictitious check stub reflecting the payment was for District supplies and then ultimately using funds of the Pontoon Beach Water District to pay the credit card bill for personal expenses.

8. Loss includes the $5323 that Buske returned on May 27, 2016 after the offense had been discovered plus an additional $4,786.13.

Credit Card Review

Statement Month	Bank of America Expense	Amount	Quickbooks Expense	Amount
June 2016	American Family Mutual	$479.54	N/A	N/A
June 2016	Casey Gen Store	$8.13	N/A	N/A
June Sub Total		$487.67		
May 2016	American Family Mutual	$495.00		
May 2016	Kay Jeweler	$500.00	Office Expense	$995.00
April 2016	American Family Mutual	$660.07		
April 2016	Metro East Mini St	$130.00		
April 2016	Charter Communications	$277.98	HD Supply	$1,068.05
March 2016		$0.00		$0.00
February 2016	American Family Mutual	$457.73		
February 2016	VZWRLSS	$328.26	HD Supply	$785.99
February 2016	BP - Glen Carbon	$7.54	Portion of Fuel	$7.54
January 2016	American Family Mutual	$913.37		
January 2016	Wade Sales & Service	$155.68		$1,069.05
December 2016	Southwestern Electric	$372.83	Lowes	$372.83
Sub Totals		$4,298.46		$4,298.46
June Sub Total		$487.67	No QB entry for June	
Grand Total		$4,786.13		

SO STIPULATED:

DONALD S. BOYCE
United States Attorney

BRIAN BUSKE
Defendant

NORMAN R. SMITH
Assistant United States Attorney

JUSTIN KUEHN
Attorney for Defendant

Date: 3/16/17

Date: 3/28/2017